

HJR 18 Workgroup Meeting

Thursday August 9, 2012

Locations: Wilmington and Milford DFS Offices (w/Teleconference)

1825 Faulkland Road, Wilmington, DE 19805, Rm. #199

247 Northeast Front Street, Milford, DE 19963, Conf. Rm.

In Attendance:

Tania M. Culley, Esq. – Co-Chair
Julia O’Hanlon – Co-Chair
The Hon. Barbara Crowell
The Hon. Peter Jones
The Hon. Mardi F. Pyott
Nathan Badell
John Bates
Amanda Brennan
Rodney Brittingham
Aimee DeBenedictis
Sue Dougherty
Shylah Duchicela
Selena Ellis
Sherfone Johnson

Christina Jones-Bey
Felicia Kellum
Janet Leban
Eric Lloyd
Gerard M.
Mary Kate McLaughlin
Julie Miller, Esq.
Demetrius Pinder
Samatha R.
Susan Radecki
Maegan Soll
Christella St. Juste
Vanessa

Welcome & Introductions

Julia O’Hanlon welcomed everyone to the meeting and introductions were made.

Approval of the Minutes

Rodney Brittingham moved to approve the minutes, with Tania Culley seconding. All in attendance approved.

Overview of Meeting Objectives and Intended Action Items

Confirmation of Process of Voting

Julia explained confirmation of process and voting for the meeting. The process can be somewhat complicated and because of the short time frame the committee has before the report is due to the Governor and the General Assembly, everyone must bear with the Co-Chairs.

Confirmation of Official Appointees

Rodney Brittingham listed the following committee members as those becoming official appointments: Judge Crowell (designated by Chief Judge Chandlee Johnson Kuhn); MaryKate McLaughlin (designated by Cabinet Secretary Vivian Rapposelli); Julie Miller* of the Delaware Youth Opportunities Initiative; Rodney Brittingham (designated by Division of Family Services Director Vicky Kelly); Tania Culley* of the Office of the Child Advocate; Representative Mike Barbieri, Senator yet to be named; Youth Ethan S., Eric Lloyd, Amanda Brennan, Christella St. Juste, and Demetrius Pinder; Julia O’Hanlon (representing educational institutions); Paul Calistro (representing community organizations); and Christina Jones-Bey (representing foster parents or group homes).

*denotes those who have already been officially appointed to the committee thus far.

MaryKate McLaughlin explained that the Governor's office is currently processing the applications for appointee's for the HJR 18 committee and that each person appointed would receive an official letter at their place of residence stating their official appointment. The committee would remain a public meeting.

Process of Voting

Tania Culley and Julia agreed that since only two people are currently truly appointed to the committee, Tania and Julie Miller, the group would take consensus votes on issues at the moment. Once everyone is appointed as required by the HJR 18, voting will occur in the most expedited way possible, as required by law.

Primary Consideration for Shaping Delaware's Extended Foster Care Program

Julia discussed research that the University of Delaware has been putting together for the HJR 18 committee. She explained that the documents handed out at the meeting, *States Policies, Criteria, and Resources, for Extended Foster Care* (the matrix) and *Primary Considerations for Shaping Delaware's Extended Foster-Care Program* are still drafts and that this committee can have input on what edits and additions should be made. However, the documents can help summarize some important information and compare data from the states on what extended care should look like.

Primary Considerations for Shaping Delaware's Extended Foster-Care Program explains the matrix:

- Eligibility (see Tables 1-4 of supporting document)
 - Who is eligible for extended foster care to age 21? /What circumstances determine (e.g., permanency status)? (see Table 1/ Table 2)
 - What are the requirements/conditions? (Table 3)
 - Education/Vocation
 - Employment
 - Medical Condition
 - When will youth be advised of the availability of extended foster-care benefits and eligibility?
- Oversight and Case Management (see examples on page 8)
 - What case work responsibilities are required for youth in extended foster care to age 21?
- Re-Entry (see Table 8)
 - Can youth exit and re-enter care after age 18?
- Legal Jurisdiction /Involvement (see Table 9)
 - Who has legal responsibility for youth in extended foster care to age 21?
 - Are court reviews and judicial determinations needed for youth in extended foster care to age 21?
- Supervised Independent -Living Services (see Tables 10-12)
 - How are rates determined for youth living in supervised independent-living settings?
 - Is supervised living an option for extended foster care?/At what age do foster youth become eligible?
 - What are the requirements/conditions?
- Healthcare (See Table 13)
 - Are youth in extended foster care to age 21 eligible for health care? If so, what does this look like and include? How are applications completed (e.g., Medicaid)?
- Programs & Services (*see Tables 14-15*)
 - What living arrangements or settings will exist for youth in extended foster care? How are these the same or different than current arrangements/settings?
 - Continuation of Placement with Foster-Care Family
 - Supervised Independent Living
 - Are workforce support and employment services available?
 - What education-assistance programs are available?
 - What financial assistance is provided and for how long?
 - What life-skills training programs will be available to youth in extended care?

- What transition planning is required for youth in extended foster care to age 21 (e.g., specified plan in place for “life after extended care”)?
- What agencies, community-based organizations, higher education institutions, and private-sector partners will be involved in developing the range of programs and services that meet a youth’s individual needs and circumstances?

Felicia Kellum stated that some of the information provided in the matrix may not be up to date, since Fostering Connections to Success has been adopted and implemented. Julia agreed and said new information is available constantly and UD will continually update the matrix as much as they can. Amanda Brennan spoke about how this information will inform the committee’s discussion moving forward and more information can be provided for outstanding issues. Mary Kate and Julia agreed that more information can be provided when framing the specifics of extended care. In addition, states vary, so this information will be helpful.

Legal System Involvement

Court Involvement between the ages 18-21

Gerard M. felt that youth should be required to attend a court hearing with a judge at least once after 18. If the youth is doing well, then they would not have to go back to the judge. He worried that some youth may not want to see a judge, but really need to in order to stay on the correct path toward success. Christella St. Juste stated that youth should be able to make a decision whether they need to continue seeing their judge or not. Maegan agreed it should be optional because the hearings would no longer be about parental involvement, but more about the young adult. In addition, the Child Placement Review Board does status reviews already, so they should be in place of Court meetings. Samatha R., Amanda, and Demetrius Pinder agreed that it should be optional.

Tania suggested that mandatory judicial hearings would be costly and most likely require additional judges on the bench. Sue Radecki and Nathan Badell believed it should be based on the youth and looked at case by case. Julie Miller added that the Jim Casey Youth Opportunities Initiative (JCYOI) perspective calls for a case by case review. In addition, Delaware currently has extended legal jurisdiction, so case by case would not change what is in place.

The committee agreed that court involvement should be voluntary and looked at in a case by case review of the youth who stay in care past 18, as is already in Delaware’s extended legal jurisdiction law.

Involvement with CASAS/GALS from 18-21

Christella and Samatha believed that CASAs and GALs should be formally involved with youth who remain in care only if the youth is involved with the courts. Selena Ellis, Felicia, and Maegan, however, felt that it is very important to have an advocate for other hearings, like the Child Placement Review Board. Maegan also stated that GALs always know where the youth can seek support and act as mentors. Nathan Badell spoke about the role of CASAs and GALs after the age of 18. It is no longer what is in the best interest of the child, but what the youth wants. JCYOI believes CASAs and GALs should be tied to the court system, formally.

The committee agreed that the CASAS and GALS should only represent those that remain in care past 18 if the court is also still involved. This does not preclude any informal interactions with the youth.

Re-Entry

According to JCYOI, the extended care system should be penetrable, meaning youth can reenter care even after leaving at 18. Samatha thought that youth should have one year to re-enter after leaving the system, but would not be allowed to re-enter after 20 years old. This is because youth are adults at that time, and should have their lives more or less together. There just would not be a lot of time for Division of Family Services to help with any kind of transition. Maegan also agrees that youth should be able to come back, but only until six to eight months. This would give the young person enough time to have healthy risk taking and if they falter, they can come back to the system. MaryKate would extend that time to nine months, because generally it takes that

amount of time to “fail.” Christella stated any time limit should be tied to experiences, like when the youth will graduate high school. Gerard agreed.

Judge Jones stated that extending care is tied to housing and youth can receive other services even if they are not in care through Independent Living Services, so there should be no limit. Demetrius agreed and stated that eight to nine months to get one’s life together is not enough time. Amanda agreed, and read results of a survey taken of 23 current and former foster youth who wished to reenter at any time. She stated that most rental agreements are for a term of one year. Amanda believes limiting re-entry to a year would leave a person that tried to be independent and failed without a safety net. She would rather an opened ended re-entry until 21. She affirmed it is invaluable to not have a limit and this would help to give the youth a direction. Selena worried that some youth may take advantage of a system that allows for youth to re-enter at any time. She felt that if a youth comes back at 20 for one year to age out at 21 it may not be a lot of help. Sherfone Johnson responded that one year of help could be beneficial for someone who is struggling and has been finding the right path.

The committee agreed that there should be no age limitation on re-entry until 21. However, there may need to be a cap on number of times a youth can return to care between the ages of 18-21.

Supervised Independent Living Situations

Julie stated that the JCYOI model allows for a wide variety of housing options. The Jim Casey Youth Opportunities Initiative would suggest trial period of independent apartment living as early as possible. Options given should include but are not limited to dorm rooms, apartments, cluster homes, group homes, residences halls, and host homes.

Christella agrees that youth should have no limitations on housing options. Samatha and Gerard believe we should have out of state arrangements. Gerard mentions these options because youth may be interested in going to college out of state. Amanda suggested that if living with foster parents, stipends could be tied to a rent system. Nathan asked what are the costs associated with this. Rodney said that DFS is currently working on specific numbers with broad living arrangements and would bring those figures to the next meeting. In a survey to 23 youth, everyone has a different plan on living arrangements. Youth want options. Tania stated that whatever is put into place would not undercut what is already available in terms of housing.

The committee agreed that housing options would be as broad as possible, with certain stipulations depending on the type of housing. In addition, that state would support out of state housing options.

Public Comment

There was no public comment.

Priority Items and Path Forward

University of Delaware will research whether youth can receive financial and other support while living with a family member by looking at other states, such as Texas and Indiana. Julie will continue to clarify the JCYOI perspective. At the next meeting, the committee will discuss casework involvement, healthcare, self-sufficiency benchmarks, and financial assistance.

NEXT MEETINGS

All meeting will take place at Wilmington and Milford DFS Offices (w/Teleconference):

1825 Faulkland Road, Wilmington, DE 19805, Rm. #199

247 Northeast Front Street, Milford, DE 19963, Conf. Rm.

- **Thursday, August 23, 2012 – 4:00 pm**
- **Thursday, September 6, 2012 –4:00 pm**